



09-06-02

GAU 2633 #6 ref 9-13-02

PATENT  
Attorney Docket No. 430

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
James E. DeGrange, Jr.

Serial No.: 10/062,139

Filed: February 1, 2002

For: METHOD AND SYSTEM FOR  
COORDINATING AND UTILIZING  
CHANNEL POWER INFORMATION  
IN AN OPTICAL COMMUNICATION  
NETWORK

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) Group Art Unit: 2633  
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) Examiner: Unassigned  
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Technology Center 2606

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56, 1.97(b), and 1.98 applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. Each document listed in this Information Disclosure Statement was cited in a communication in a counterpart PCT application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Copies of the listed documents are attached. For the Examiner's convenience, a copy of a PCT International Search Report citing the listed document is also attached. Applicant does not necessarily endorse the conclusions set forth in the International Search Report.

This statement should not be construed as a representation that an exhaustive search has

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this Information Disclosure Statement, Form 1449 and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this 5<sup>th</sup> day of September 2002 in an envelope marked as "Express Mail Post Office to Addressee" Mail Label Number EV135777708US addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Carol S. Parker-Hines  
(type or print name of person mailing paper)

(signature of person mailing paper)

been made, or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies these documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of the documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO 1449 Form, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Respectfully submitted,

Date: September 5, 2002

By:

  
Michael R. Cammarata  
Reg. No. 39,491

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**EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**